

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

IVAN CUADRADO,

Plaintiff,

v.

FRONTIER AIRLINES, INC.

Defendant.

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CASE NO. 5:17-cv-1118

JURY DEMAND

**NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. §§ 1331, 1332(a), 1443
(DIVERSITY AND FEDERAL QUESTION JURISDICTION)**

PLEASE TAKE NOTICE that Defendant Frontier Airlines, Inc. (“Frontier”) hereby removes to this Court the state court action described below.

1. On September 26, 2017, Plaintiff, Ivan Cuadrado (“Plaintiff”), commenced an action in the District Court, 224th Judicial District, Bexar County, State of Texas, Case No. 2017-CI-18604. A copy of the citation and original petition served on Frontier is attached in the Index as Exhibit A. The Index being contemporaneously filed herewith is incorporated herein by reference for all purposes.
2. On October 3, 2017, Frontier was served via personal service.
3. To the best of the undersigned’s knowledge, the documents contained in the Index comprise all filings to date in this matter.
4. This is a personal injury case alleging that Plaintiff was injured while boarding a Frontier flight on September 12, 2016.
5. Plaintiff is a resident of Bexar County, Texas.

6. Frontier's principal place of business is Denver, Colorado.
7. Plaintiff alleges in his complaint that he suffered "humiliation and shame."
(Plaintiff's Petition, Exhibit A, p. 4.)
8. Plaintiff further alleges in his complaint that he is seeking economic damages as well as exemplary damages. (Id., at p. 7.)
9. This action is a civil action of which this Honorable Court has jurisdiction under 28 U.S.C. § 1332(a) since complete diversity exists between the parties and the amount in controversy exceeds \$75,000.
10. This action is a civil action of which this Honorable Court has jurisdiction under 28 U.S.C. § 1331 and 28 U.S.C. § 1443 since Plaintiff has alleged a violation of 49 U.S.C. § 40127.
11. This is a matter which may be removed to this Court by Defendant pursuant to 28 U.S.C. § 1441(a) and § 1446.
12. As Frontier was served on October 3, 2017, this removal is timely.
13. Frontier demands a jury trial and tenders the appropriate fee with this notice.
14. As required by 28 U.S.C. § 1446, Frontier will give notice of the filing of this notice to the Plaintiff and to the clerk of the state court, where the action is presently pending.

WHEREFORE, Frontier respectfully requests removal of this matter to this Honorable Court.

Respectfully submitted,

By: /s/ **Patrick J. Comerford**

Patrick J. Comerford

State Bar No. 24096724

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following and I further certify that I have served the foregoing by email.

THE PARENT LAW FIRM PLLC

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